IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 33377 of 2007(W)

PETITIONER:

SREEKUMAR P., S/O.KRISHNAN P.,
GUEST LECTURER (ENGLISH), FAROOK COLLEGE,
FEROKE, KOZHIKODE DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT,
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM.

3. SECRETARY,
KERALA PUBLIC SERVICE COMMISSION, PATTOM,
THIRUVANANTHAPURAM.

4. DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOZHIKODE.

5. PRINCIPAL, FAROOK COLLEGE, FEROKE,
KOZHIKODE DISTRICT.

BY GOVT. PLEADER, SRI.A.J.VARGHESE
SRI.ALEXANDER THOMAS, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C) No.33377 of 2007(W)

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Dated this the 16th day of November, 2007

JUDGMENT

The petitioner is an unfortunate candidate seeking employment as a lecturer in colleges, who could not apply for appointment in service as a lecturer on account of the ban imposed by the Government on recruitments, as part of the de-linking process of Pre-degree course from colleges under various Universities in the State. The petitioner submits that for a very long time the ban continued as a result of which the petitioner could not apply for appointment and in the meanwhile he became over aged also. In the above circumstances, the petitioner filed Ext.P14 representation before the 1st respondent seeking relaxation in the upper age limit prescribed for applying for appointment to the post of lecturer in colleges under various Universities in Kerala. Petitioner seeks a direction to the 1st respondent to consider the same. The learned Government Pleader on instructions submits that the Government has no

intention to relax the upper age limit and Government does not consider it necessary to relax the age limit. In view of the same I do not think that I can in exercise of my powers under Article 226 of the Constitution of India direct the Government to relax the upper age limit fixed when the Government does not wish to grant such relaxation. Therefore, the writ petition cannot be entertained. Accordingly the same is dismissed. However the dismissal of this writ petition will not stand in the way of the Government relaxing the age limit if it considers it necessary to do so.

Sd/-
S.SIRI JAGAN,
JUDGE

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